

Serial No. 09/994,092
Amendment Dated January 28, 2005
Reply to Office Action of October 1, 2004

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A plant cell of a *Brassica napus* plant which is Early Napus and resistant to at least one AHAS-inhibitor herbicide, wherein said plant is designated--variety NS3801, representative seed of said variety having been deposited under ATCC Accession No. PTA-2470.
2. (Original) The plant cell of claim 1, wherein said AHAS-inhibitor herbicide is an imidazolinone.
3. (Original) The plant cell of claim 2, wherein said imidazolinone is imazethapyr or imazamox or a combination thereof.
4. (Original) The plant cell of claim 1, wherein said AHAS-inhibitor herbicide is a sulfonylurea.
5. (Original) The plant cell of claim 4, wherein said sulfonylurea is thifensulfuron methyl.
6. (Canceled)
7. (Currently Amended) A tissue culture of regenerable cells of a *Brassica napus* plant which is Early Napus and resistant to at least one AHAS-inhibitor herbicide, wherein said plant is designated--variety NS3801, representative

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seed of said variety having been deposited under ATCC Accession No. PTA-2470.

8. (Original) The tissue culture of claim 7, wherein said AHAS-inhibitor herbicide is an imidazolinone.
9. (Original) The tissue culture of claim 8, wherein said imidazolinone is imazethapyr or imazamox or a combination thereof.
10. (Original) The tissue culture of claim 7, wherein said AHAS-inhibitor herbicide is a sulfonylurea.
11. (Original) The tissue culture of claim 10, wherein said sulfonylurea is thifensulfuron methyl.
12. (Canceled)
13. (Canceled)
14. (Currently Amended) A *Brassica napus* plant or plant part which is Early Napus and resistant to at least one AHAS-inhibitor herbicide, wherein said plant is designated—variety NS3801, representative seed of said variety having been deposited under ATCC Accession No. PTA-2470.
15. (Currently Amended) The plant part of claim 14, wherein said plant part is selected from a group consisting of a tissue, pollen, ovules, ~~roots, leaves, seeds, and microspores~~ ovule, root, leave, seed and microspore.

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16. (Original) The plant part of claim 14, wherein said AHAS-inhibitor herbicide is an imidazolinone.
17. (Original) The plant part of claim 16, wherein said imidazolinone is imazethapyr or imazamox or a combination thereof.
18. (Original) The plant part of claim 14, wherein said AHAS-inhibitor herbicide is a sulfonylurea.
19. (Original) The plant part of claim 18, wherein said sulfonylurea is thifensulfuron methyl.
20. (Canceled)
21. (Original) A method for regenerating a *Brassica napus* plant which is Early Napus and resistant to at least one AHAS-inhibitor herbicide, the method comprising growing the plant part of claim 14 under conditions sufficient to produce a regenerated plant.
22. (Previously presented) A method for breeding a Brassica line comprising crossing a first Brassica plant which is Early Napus and resistant to at least one AHAS-inhibitor herbicide with a second Brassica plant different from said first plant, wherein said first Brassica plant is variety NS3801, representative seed of said variety having been deposited under ATCC Accession No. PTA-2470.
23. (Canceled)

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24. (Original) The method in accordance with claim 22, wherein said AHAS-inhibitor herbicide is an imidazolinone.
25. (Original) The method in accordance with claim 24, wherein said imidazolinone is imazethapyr or imazamox or a combination thereof.
26. (Original) The method in accordance with claim 22, wherein said AHAS-inhibitor herbicide is a sulfonylurea.
27. (Original) The method in accordance with claim 26, wherein said sulfonylurea is thifensulfuron methyl.
28. (Canceled)
29. (Currently Amended) A method for producing a first generation (F1) hybrid seed comprising crossing a first *Brassica napus* plant that is Early Napus and resistant to at least one AHAS-inhibitor herbicide with a second *Brassica napus* plant different from said first plant and harvesting the resultant first generation (F1) hybrid seed, wherein said first plant is designated-variety NS3801, representative seed of said variety having been deposited under ATCC Accession No. PTA-2470.
30. (Previously Presented) The method in accordance with claim 29, wherein said AHAS-inhibitor herbicide is an imidazolinone.
31. (Previously Presented) The method in accordance with claim 30, wherein said imidazolinone is imazethapyr or imazamox or a combination thereof.

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32. (Previously Presented) The method in accordance with claim 29, wherein said AHAS-inhibitor herbicide is a sulfonylurea.
33. (Previously Presented) The method in accordance with claim 32, wherein said sulfonylurea is thifensulfuron methyl.
- 34-55. (Canceled)
56. (Currently Amended) A *Brassica napus* F1 progeny plant or plant part of variety NS3801, wherein said progeny plant or plant part is Early Napus and resistant to at least one AHAS-inhibitor herbicide, representative seed of said variety having been deposited under ATCC Accession No. PTA-2470.
57. (Canceled)
58. (Currently Amended) A *Brassica napus* F1 progeny plant seed of variety NS3801, wherein said progeny plant seed is Early Napus and resistant to at least one AHAS-inhibitor herbicide, representative seed of said variety having been deposited under ATCC Accession No. PTA-2470.
59. (Canceled)
60. (Currently Amended) A *Brassica napus* F1 progeny plant cell of variety NS3801, wherein said progeny plant cell is Early Napus and resistant to at least one AHAS-inhibitor herbicide, representative seed of said variety having been deposited under ATCC Accession No. PTA-2470.
61. (Canceled)